GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – Departmental proceedings initiated against Sri K.Balarama Krishna, Retired Prohibition and Excise Superintendent, Srikakulam in two cases on the allegation of criminal misconduct and criminal conspiracy– Entrusted T.D.P. in one case and COI in another case – Orders dt.01.04.2021 in I.A.No.1 of 2021 in W.P.No.6165 of 2021 of the High Court – Implemented - Orders – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No.832 **Dated:31-12-2021**

Read the following:-

1. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.11/RCO-VSK /2012, dt.12.10.2012.
2. From the Director General, Anti Corruption Bureau, A.P., Lr.No.Rc.No.74/RCO-VSK/2012, dt.12.11.2012.
3. Govt.Memo.No.46423/Vig.V(2)/2012-5, dt.16.01.2013 of the Rev (Vig.V) Dept.
4. Govt.Memo.No.51873/Vig.V(2)/2012-2, dt.16.01.2013 of the Rev (Vig.V) Dept.
5. From the Secy., T.D.P., Tribunal Enquiry case No.205 of 2013, dated.07.02.2018.
6. G.O.Rt.No.833, Rev.(Vig.V) Dept., Dt.05.06.2013.
7. G.O.Rt.No.245, Rev.(Vig.V) Dept., Dt.06.05.2021.
8. From Sri K. Balarama Krishna, Retired Proh. and Excise Superintendent, Srikakulam , Representation dt.02-12-2021.

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ORDER:

Whereas it was brought to the notice of the Government that Sri K.Balarama Krishna, formerly Prohibition and Excise Superintendent, Srikakulam while in service was involved in two (2) disciplinary cases pertaining to liquor syndicate cases of Srikakulam district along with the other Prohibition and Excise officials. After conducting detailed inquiry, the Director General, Anti Corruption Bureau, in his reports reference 1st & 2nd read above recommended to place Sri K.Balarama Krishna on his defense before Tribunal for Disciplinary proceedings for one case and before Commissioner of Inquiries in the other case.

2. And whereas after careful examination of the recommendations of the Director General, Anti Corruption Bureau, Government have taken a decision to entrust one case against him to the Tribunal for Disciplinary proceedings in the reference 3rd read above and entrust another case against him to Commissioner of Inquiries in the reference 4th read above. Accordingly, Charge memos were issued in the reference 5th & 6th read above by the Tribunal for Disciplinary proceedings and Government respectively.

3. Aggrieved by the charge memos Sri K. Balarama Krishna has filed W.P.No.14430 of 2020 & W.P.No.6355 of 2020 before the Hon'ble High Court of Andhra Pradesh. The Hon'ble High Court, while disposing the said W.P.s, has passed the following orders dated:24.08.2020 in W.P.No.14430 of 2020 & dated 10.03.2020 in W.P.No.6355 of 2020 (Operative portion):

Orders of the Hon'ble H.C. dated:24.08.2020 in W.P.No.14430 of 2020

"Hence, in terms of the said order, this Writ Petition is disposed of directing the respondents to conclude the enquiry pending against the petitioner within a period of three (3) months from the date of receipt of copy of this order."

Orders of the Hon'ble H.C. dated 10.03.2020 in W.P.No.6355 of 2020

"there shall be a direction to the respondents to conclude the enquiry pending against the petitioner, within a period of three months from the date of receipt of

Contd.,2

a copy of this order, failing which the disciplinary proceedings initiated against the petitioner vide G.O.Rt.No.833, Revenue (Vig.V) Department, dated.05.06.2013, shall stand quashed."

4. While enclosing the above orders of the High Court, the Inquiring Authorities have been requested to complete the Inquiry within three months period prescribed by the Hon'ble High Court.

5. Sri K. Balarama Krishna has filed another W.P.No. 6165 of 2021 before the Hon'ble High Court. The Hon'ble High Court in its orders dt.01.04.2021 in I.A.No.1 of 2021 in W.P.No. 6165 of 2021 has passed the following order (operative portion):-

"In the meanwhile, there shall be interim direction to the respondents to release 75% of provisional pension, 80% of gratuity, entire amount due towards provident fund and other amounts, which are due to the petitioner as per G.O.Rt.No.1097, Fin. Plg. (PW.Pen.I) Department dated 22.06.2000, as expeditiously as possible, preferably, within a period of four (4) months from the date of receipt of a copy of this order."

6. In the G.O. reference 7th read above, Sri K. Balarama Krishna was sanctioned provisional pension @ 75% of eligible pension entitled to him under Rule 52 of Andhra Pradesh Revised Pension Rules, 1980 pending finalization of disciplinary proceedings initiated against him.

7. In the reference 8th read above, Sri K. Balarama Krishna submitted to the Government that he is suffering from blood cancer (Multiple Myeloma) and incurring huge expenditure for its treatment which is putting pressuring financial hardship on him. Therefore he requested the Government to implement the orders of the Hon'ble High Court and release all pensionary benefits.

8. Government after careful examination of the matter and in compliance with the orders dt. 01.04.2021 in I.A.No.1 of 2021 in W.P.No. 6165 of 2021 hereby accord sanction for payment of 80% of gratuity, entire amount due towards provident fund and other amounts, which are due to Sri K. Balarama Krishna, Retired Prohibition and Excise Superintendent, Srikakulam District as per G.O.Rt.No.1097, Fin. Plg. (PW.Pen.I) Department dated 22.06.2000, subject to outcome of the Court cases, if any filed/ pending before the Hon'ble High Court of Andhra Pradesh.

9. The Commissioner of Prohibition and Excise shall take necessary action as expeditiously as possible in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
The individual through the Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
The Commissioner, Prohibition and Excise Department, Andhra Pradesh, Vijayawada.
Copy to:
The Accountant General (A&E), Andhra Pradesh, Hyderabad.
The Director of Treasuries and Accounts, A.P., Vijayawada.
The Government Pleader for Services-I, Andhra Pradesh High Court, Amaravati w.r.t. W.P.No.6165 of 2021
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, A.P. Secretariat, Velagapudi.
The Secretary, Tribunal for Disciplinary proceedings, Nampally, Hyderabad.
The General Administration (COI-KVR) Department, A.P. Secretariat, Velagapudi.
Sc/Sf.

//FORWARDED :: BY ORDER//

R. Vijay Kishore
SECTION OFFICER